

# EXHIBIT 2

## Ong, Julia

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**From:** Ong, Julia  
**Sent:** Friday, October 23, 2015 2:12 PM  
**To:** Aylesworth, Samuel  
**Cc:** Prussia, Kevin S; Williams, Chaloea; Matt Segal (MSegal@aclum.org)  
**Subject:** RE: Soto v. City of Cambridge - conference / request for LR 37.1 conference  
**Attachments:** Ex. 1\_City's Responses to Plaintiff's First Set of RFAs.pdf; Ex. 2\_Plaintiff's Second Set of RFAs to City.pdf; Ex. 3\_Plaintiff's Second Set of Interrog to City.pdf; Ex. 4\_Email from S. Aylesworth.pdf; Second Declaration of Kevin S. Prussia in Support of Supplemental Statem....docx; Joint Supplemental Statement of Facts\_(149110977)\_(1).docx

Sam,

We intend to file the attached Supplemental Statement of Facts, and have left a section for the City to provide its response. Please provide a copy of the City's insert prior to filing on Monday, October 26. We are not withdrawing the supplemental discovery requests.

Regards,  
Julia

**Julia Ong | WilmerHale**  
60 State Street  
Boston, MA 02109 USA  
+1 617 526 6744 (t)  
+1 617 526 5000 (f)  
[julia.ong@wilmerhale.com](mailto:julia.ong@wilmerhale.com)

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**From:** Aylesworth, Samuel [<mailto:saylesworth@cambridgema.gov>]  
**Sent:** Thursday, October 22, 2015 1:17 PM  
**To:** Ong, Julia  
**Subject:** RE: Soto v. City of Cambridge - conference / request for LR 37.1 conference

Julia,

As you know, the Court's September 21, 2015 Scheduling Order (the "Scheduling Order") required the parties to discuss the status of the City's prohibition on the distribution of noncommercial leaflets on parked vehicles located on the City's public streets. This email shall constitute my compliance with the Court's Order.

Pursuant to and in compliance with the Court's Scheduling Order, I intend to file the attached Affidavit of City of Cambridge Police Commissioner Robert C. Haas describing the City's custom, policy or practice on the

City's prohibition of the distribution of noncommercial leaflets on parked vehicles located on the City's public streets. As the Court ordered the parties to attempt stipulate as to these facts prior to filing a joint supplementation of the factual record (Hearing Transcript p. 34), please advise me whether you will stipulate to these facts.

Pursuant to Local Rule 37.1(a), this is another request to hold a discovery conference. I am reiterating my objection to your service of written discovery on my client and my request that you withdraw the requests in their entirety.

Finally, the Court explicitly ordered the parties to indicate whether, in light of the facts, they wish to file supplemental briefs addressing whether there is a live case and controversy. Your October 9, 2015 Statement of Supplemental Authority in Support of Plaintiff Paula F. Soto's Motion for Summary Judgment was filed without consideration of the supplemental facts or conferring with me about a briefing schedule and is in direct contravention of the Court's Order. I will file a brief in response to your submission within thirty (30) days of the October 26, 2015 deadline set by the Court. Please note my objection to your failure to proceed in compliance with the Court's Order.

Regards,  
Sam

Samuel A. Aylesworth  
Assistant City Solicitor  
City of Cambridge  
795 Massachusetts Avenue  
Cambridge, MA 02139  
617-349-4121 (phone)  
617-349-4134 (fax)

---

**From:** Ong, Julia [<mailto:Julia.Ong@wilmerhale.com>]  
**Sent:** Thursday, October 15, 2015 4:27 PM  
**To:** Aylesworth, Samuel <[saylesworth@cambridgema.gov](mailto:saylesworth@cambridgema.gov)>; Williams, Chaloea <[Chaloea.Williams@wilmerhale.com](mailto:Chaloea.Williams@wilmerhale.com)>  
**Cc:** Prussia, Kevin S <[Kevin.Prussia@wilmerhale.com](mailto:Kevin.Prussia@wilmerhale.com)>; [MSegal@aclum.org](mailto:MSegal@aclum.org)  
**Subject:** RE: Soto v. City of Cambridge - conference

Sam,

We don't think a discussion is necessary as the record is clear that the City has a policy of prohibiting placing noncommercial leaflets on publicly parked cars. The City has never stated otherwise. If the City has a new position, it can inform us via email. There is no need for any further delay. As the Court explained, "the ball is really in the City's court to come out and say whether or not this is [its] policy, and if so, where it is reflected." Hearing Tr. at 35:1-3.

Regards,  
Julia

**Julia Ong | WilmerHale**  
60 State Street  
Boston, MA 02109 USA  
+1 617 526 6744 (t)  
+1 617 526 5000 (f)  
[julia.ong@wilmerhale.com](mailto:julia.ong@wilmerhale.com)

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**From:** Aylesworth, Samuel [<mailto:saylesworth@cambridgema.gov>]  
**Sent:** Thursday, October 15, 2015 3:03 PM  
**To:** Ong, Julia; Williams, Chaloea  
**Cc:** Prussia, Kevin S; [MSegal@aclum.org](mailto:MSegal@aclum.org)  
**Subject:** RE: Soto v. City of Cambridge - conference

Julia,

I'm sorry, I'm not able to confer today on this or tomorrow afternoon, as I mentioned to you previously. We agreed over a week ago that we would hold this conference tomorrow morning. I think at this point given our scheduling conflicts that we should file a joint request with the Court to extend the date to jointly supplement the factual record. I would suggest that we propose November 9<sup>th</sup>, a two-week extension.

Please advise.

Thanks,  
Sam

Samuel A. Aylesworth  
Assistant City Solicitor  
City of Cambridge  
795 Massachusetts Avenue  
Cambridge, MA 02139  
617-349-4121 (phone)  
617-349-4134 (fax)

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**From:** Ong, Julia [<mailto:Julia.Ong@wilmerhale.com>]  
**Sent:** Thursday, October 15, 2015 10:31 AM  
**To:** Aylesworth, Samuel <[saylesworth@cambridgema.gov](mailto:saylesworth@cambridgema.gov)>; Williams, Chaloea <[Chaloea.Williams@wilmerhale.com](mailto:Chaloea.Williams@wilmerhale.com)>  
**Cc:** Prussia, Kevin S <[Kevin.Prussia@wilmerhale.com](mailto:Kevin.Prussia@wilmerhale.com)>; [MSegal@aclum.org](mailto:MSegal@aclum.org)  
**Subject:** RE: Soto v. City of Cambridge - conference

Sam,

In order to not delay the meet and confer any longer, we can be available anytime today except from 12-1pm or 2-3 pm, and alternatively, anytime tomorrow afternoon starting at 2 pm. Kevin and I will be traveling to the West Coast for depositions in another matter on Monday and will be unavailable for the entire week. Additionally, Chaloea will be traveling for business all week for another matter. Thus, in order to meet the Court's deadline of Monday, October 26 to file supplemental stipulated facts, we request a meet and confer by tomorrow.

Please let us know immediately what time works for you.

Thanks,  
Julia

**Julia Ong | WilmerHale**  
60 State Street  
Boston, MA 02109 USA  
+1 617 526 6744 (t)  
+1 617 526 5000 (f)  
[julia.ong@wilmerhale.com](mailto:julia.ong@wilmerhale.com)

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**From:** Aylesworth, Samuel [<mailto:saylesworth@cambridgema.gov>]  
**Sent:** Thursday, October 15, 2015 9:11 AM  
**To:** Williams, Chaloea  
**Cc:** Prussia, Kevin S; [MSegal@aclum.org](mailto:MSegal@aclum.org); Ong, Julia  
**Subject:** RE: Soto v. City of Cambridge - conference

Chaloea,

I'm not available at 2pm tomorrow. How about 10AM on Monday the 19<sup>th</sup>?

Sam

Samuel A. Aylesworth  
Assistant City Solicitor  
City of Cambridge  
795 Massachusetts Avenue  
Cambridge, MA 02139  
617-349-4121 (phone)  
617-349-4134 (fax)

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**From:** Williams, Chaloea [<mailto:Chaloea.Williams@wilmerhale.com>]  
**Sent:** Tuesday, October 13, 2015 3:15 PM  
**To:** Aylesworth, Samuel <[saylesworth@cambridgema.gov](mailto:saylesworth@cambridgema.gov)>  
**Cc:** Prussia, Kevin S <[Kevin.Prussia@wilmerhale.com](mailto:Kevin.Prussia@wilmerhale.com)>; [MSegal@aclum.org](mailto:MSegal@aclum.org); Ong, Julia <[Julia.Ong@wilmerhale.com](mailto:Julia.Ong@wilmerhale.com)>  
**Subject:** RE: Soto v. City of Cambridge - conference

Sam,

We can call you at 2pm on Friday, October 16 for the meet and confer. Please let us know if that does not work for you.

Thanks,  
Chaloea

**Chaloea Williams | WilmerHale**

60 State Street  
Boston, MA 02109 USA  
+1 617 526 6233 (t)  
+1 617 526 5000 (f)  
[chaloea.williams@wilmerhale.com](mailto:chaloea.williams@wilmerhale.com)

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**From:** Aylesworth, Samuel [<mailto:saylesworth@cambridgema.gov>]  
**Sent:** Wednesday, October 07, 2015 9:41 AM  
**To:** Ong, Julia  
**Cc:** Prussia, Kevin S; Williams, Chaloea; [MSegal@aclum.org](mailto:MSegal@aclum.org)  
**Subject:** RE: Soto v. City of Cambridge - conference

Good morning Julia,

Thanks, let's hold our conference on Friday, October 16<sup>th</sup> at 10am or another time that morning if that specific time doesn't work for you.

As for the discovery requests that you've propounded, the Court's Order makes no mention of allowing such requests. Indeed, at the hearing on September 21<sup>st</sup>, Magistrate Judge Dein expressly rejected reopening discovery on this issue. Furthermore, there is no basis in the rules of civil procedure for my client to respond to these requests within six (6) days of their service.

I'm happy to discuss further at our conference next week.

Thanks,  
Sam

Samuel A. Aylesworth  
Assistant City Solicitor  
City of Cambridge  
795 Massachusetts Avenue  
Cambridge, MA 02139  
617-349-4121 (phone)  
617-349-4134 (fax)

---

**From:** Ong, Julia [<mailto:Julia.Ong@wilmerhale.com>]  
**Sent:** Tuesday, October 06, 2015 1:02 PM  
**To:** Aylesworth, Samuel <[saylesworth@cambridgema.gov](mailto:saylesworth@cambridgema.gov)>  
**Cc:** Prussia, Kevin S <[Kevin.Prussia@wilmerhale.com](mailto:Kevin.Prussia@wilmerhale.com)>; Williams, Chaloea <[Chaloea.Williams@wilmerhale.com](mailto:Chaloea.Williams@wilmerhale.com)>; [MSegal@aclum.org](mailto:MSegal@aclum.org)  
**Subject:** RE: Soto v. City of Cambridge - conference

Hi Sam,

I am unavailable on October 13, but am available to confer on October 8 or 9<sup>th</sup> in the afternoon. Alternatively, I am available in the afternoon on October 15<sup>th</sup> or the morning of October 16<sup>th</sup>. Per the Court's order, please provide the City's responses to Ms. Soto's supplemental discovery requests by October 12.

Best,  
Julia

**Julia Ong | WilmerHale**  
60 State Street  
Boston, MA 02109 USA  
+1 617 526 6744 (t)  
+1 617 526 5000 (f)  
[julia.ong@wilmerhale.com](mailto:julia.ong@wilmerhale.com)

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**From:** Aylesworth, Samuel [<mailto:saylesworth@cambridgema.gov>]  
**Sent:** Thursday, October 01, 2015 4:40 PM  
**To:** Ong, Julia  
**Subject:** Soto v. City of Cambridge - conference

Hi Julia,

As you know the Court required the parties to confer on Monday, October 12. However, my office is closed that day as it is Columbus Day. Can we instead hold our telephone conference on Tuesday, October 13? Shall we say 4pm?

Thanks,  
Sam

Samuel A. Aylesworth  
Assistant City Solicitor  
City of Cambridge  
795 Massachusetts Avenue  
Cambridge, MA 02139  
617-349-4121 (phone)  
617-349-4134 (fax)